

71477 U.S. PTO
04/11/97

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PATENT

71477 U.S. PTO
08837009
04/11/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re reissue application of:

Graeme I. Bell et al.
U.S. Patent No. 5,405,942
Issued: April 11, 1995

Serial No.: Not yet assigned. Group No.: 1804

Filed: Herewith. Examiner: J. Stone

For: PREPRO INSULIN-LIKE GROWTH FACTORS I AND II

"Express Mail" Label No. EM347374321US
Date of Deposit 4/11/97

I hereby certify that this Reissue Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Bob Inforzato
Typed Name: Bob Inforzato

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

REISSUE APPLICATION TRANSMITTAL LETTER

Transmitted herewith is the application for reissue of U.S. Patent No. 5,405,942 issued on April 11, 1995.

Enclosed are the following:

1. SPECIFICATION, CLAIM(S) AND DRAWING(S)
 - (XX) 6 page(s) of specification
 - (XX) 4 page(s) of claims
 - (XX) 1 page(s) of abstract

Note: This must include the entire specification and claims of the patent, with the matter to be omitted by reissue enclosed in square brackets; and any additions made by the reissue must be underlined, so that the old and new specifications and claims may be readily compared. Claims should not be renumbered and the numbering of claims added by reissue should follow the number of the highest numbered patent claim.

() _____ sheet(s) of () formal/() informal drawings.
(XX) No changes in the drawings upon which the original

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patent was issued are to be made. Therefore, in accordance with 37 C.F.R. § 1.174, please find attached, in the size required for original drawings:

(XX) a copy of the printed drawings of the patent.

() a photoprint of the original drawings.

2. DECLARATION AND POWER OF ATTORNEY

(XX) 7 pages of declaration and power of attorney for each of inventors G.I. Bell and J.P. Merryweather; the declaration of inventor L.B. Rall is not enclosed but will be filed within the time set under 37 CFR 1.53(d) (1) and MPEP §1414.

() An Associate Power of Attorney.

3. PRELIMINARY AMENDMENT (check if applicable)

(XX) enclosed herewith.

4. OFFER TO SURRENDER THE ORIGINAL LETTERS PATENT IN ACCORDANCE WITH 37 C.F.R. § 1.178 IS ATTACHED

(XX) Offer to surrender is by the inventor.

(XX) along with Consent of Assignee and Certificate under 37 CFR §3.73(b).

() Offer to surrender is by the assignee of the entire interest (and the reissue application does not seek to enlarge the claims of the original patent).

5. LETTERS PATENT

() Original letters patent attached.

() Declaration that original letters patent lost or inaccessible.

(XX) Original letters patent or declaration that original letters patent lost or inaccessible will be submitted after prosecution on the merits but before the application has been allowed.

Note: "The application may be accepted for examination in the absence of the original patent or the declaration but one or the other must be supplied before the case is allowed." 37 C.F.R. § 1.178.

Note: "If a reissue be refused, the original patent will be returned to applicant upon his request." 37 C.F.R. § 1.178.

6. TITLE

In accordance with 37 C.F.R. § 1.171, this application for reissue is accompanied by:

() a certified copy of an abstract of title.

or

(XX) an order for an abstract of title.

7. INFORMATION DISCLOSURE STATEMENT (check if applicable)

() attached.

8. PRIORITY - 35 U.S.C. § 119

() Priority of application Serial No. _____ filed on _____
in _____ (country) is claimed under 35 U.S.C. § 119.

() The certified copy has been filed in prior application
Serial No. _____ filed on _____.

9. FEE CALCULATION (37 C.F.R. §§ 1.16(h), (i) and (j))

CLAIMS AS FILED				SMALL ENTITY			OTHER THAN SMALL ENTITY	
No. Filed		No. Extra	Rate	Fee	OR	Rate	Fee	
BASIC FEE				\$385	OR		\$770	
Total Claims	41	- 20 OR the number of claims in original patent, whichever is greater = 22	19	x \$11=	\$	OR	x \$22= \$418	
Indep. Claims	3	minus number of independent claims in original patent = 3	0	x \$40=	\$	OR	x \$80= \$0	
Multiple dependent claims are treated as ordinary claims for fee purposes. 37 C.F.R. § 1.16(j).								
TOTAL				\$			1188	

10. SMALL ENTITY STATUS (if applicable)

Note: A new verified statement is required for the reissue even if one has been filed in the original patent.

() A Verified Statement Claiming Small Entity Status under
37 C.F.R. §§ 1.9 and 1.27 is enclosed.

11. METHOD OF PAYMENT OF FEES

(XX) A check in the amount of \$ 1188 is attached. Please
charge any deficiency or credit any overpayment to
Deposit Account No. 23-3050.

() Please charge my Deposit Account No. 23-3050 in the amount of \$_____.

This sheet is attached in triplicate.

12. AUTHORIZATION TO CHARGE ADDITIONAL FEES

(XX) The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050.

(XX) Any additional filing fees required under 37 C.F.R. §§ 1.16(a), (f) or (g) (filing fees) including fees for presentation of extra claims (37 C.F.R. §§ 1.16(b), (c) and (d)).

(XX) Any additional patent application processing fees under 37 C.F.R. § 1.17 and under 37 C.F.R. § 1.20(d).

(XX) The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050.

(XX) Any patent application processing fees under 37 C.F.R. § 1.17 and under 37 C.F.R. § 1.20(d).

() The issue fee set in 37 C.F.R. § 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b).

(XX) Any filing fees under 37 C.F.R. § 1.16 including fees for presentation of extra claims.

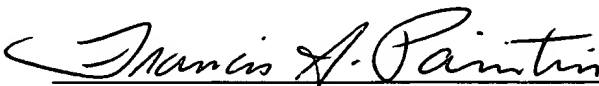
This sheet is attached in triplicate.

Date: April 9, 1997

Francis A. Paintin
Francis A. Paintin
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Form PO-140 Form approved by U.S. Department of Commerce Comptroller general, U.S. Patent Office November 2, 1950	
DEPOSIT ACCOUNT ORDER FORM	
Mail To:	Commissioner of Patents Washington, D.C.
Account No. 23-3050	April 9, 1997
Name and Address of Depositor: WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP One Liberty Place - 46th Floor Philadelphia, PA 19103	
DESCRIPTION OF ARTICLES OR SERVICES TO BE FURNISHED	
Please furnish the Examiner in charge of the application for reissue of U.S. Patent 5,405,942, granted April 11, 1995, based on application Serial No. 07/065,673 filed June 16, 1987, with a Title Report in connection with said patent. The title report should show ownership of the patent in the name of Chiron Corporation by virtue of assignment recorded in the PTO at Reel 4306, Frame 018. Kindly charge all fees to our above-identified deposit account.	
WOODCOCK WASHBURN KURTZ MACKIEWICZ & NORRIS LLP  Francis A. Paintin, Registration No.: 19,386	

For Prompt, Accurate Shipment Please Complete the Following Mailing Label

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